

**North Andover Conservation Commission Meeting Minutes
February 11, 2015**

Members Present: Louis A. Napoli, Chairman, Douglas W. Saal, Vice Chairman, John T. Mabon, (arrived at 7:09 p. m.) Deborah A. Feltovic, Albert P. Manzi, Jr., Sean F. McDonough (arrived at 7:12 p.m.)

Members Absent: Joseph W. Lynch, Jr.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:05 PM Quorum Present.

Public Hearings: 7:06 PM

Approval of Minutes 11/19/14 & 12/17/14

- A motion to accept the meeting minutes of 11/19/14 & 12/17/14 as drafted and reviewed is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.

Notice of Intent (NOI)

242-1642, 492 Sutton Street (Lawrence Municipal Airport) (Stantec) (cont. from 1/28/15)

**The matter was initially tabled because consultant was not present.*

- Randall P. Christensen of Stantec is present.
- Mr. Napoli recuses himself (abutter).
- Mr. Christensen reviews the EMAS system alternative to the proposed graded and vegetated runway expansions. He states the alternative is not used in any B2 airport in Massachusetts.
- Mr. McDonough asks about shortening the runway to accommodate the EMAS system.
- Mr. Christensen states the runway is already being shortened. He explains additional changes to the lighting system that will be required if the runway is shortened further.
- Mr. Manzi asks about safety and states that EMAS beds are the only thing that will really stop a plane. He notes that planes have gone off this runway before and crashed into adjacent buildings.
- Mr. Christensen states some of the plans at the Lawrence Airport are not heavy enough to use the EMAS beds.
- Discussion continues between Mr. Christensen and Mr. Manzi regarding the pros and cons of EMAS beds and the effects to the cross wind runway.
- Mr. Manzi asserts EMAS beds are a viable alternative.
- Mr. Saal states there are wetland issues and there can be no adverse impacts.
- Mr. McDonough asks additional questions about the planes that effectively use EMAS beds.
- Mr. Christensen states planes over 25,000 lbs. The turf proposal will accommodate all classes of planes at the airport.

- A motion to accept the waiver request as presented is made by Mr. Mabon, seconded by Ms. Feltovic.
- 3 to 2 Vote (Mr. Manzi & Mr. McDonough opposed)
- A motion to close and issue a decision within 21 days is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Letter from Stantec dated January 23, 2015*
- *Photos dated January 13, 2015*

NACC#137, 240 Charles Street (Greater Lawrence Sanitary District) (Rimmer Environmental Consulting, LLC)

- The applicant Cheri Cousens and Richard E. Weare of Greater Lawrence, and Mary Rimmer of Rimmer Environmental Consulting, LLC are present.
- Ms. Feltovic reads the legal notice.
- Ms. Rimmer states the project is exempt from the WPA and associated regulations however there is not an exemption for sewer line maintenance under the bylaw. She states the project is to clear the easement and provide access for equipment should it be needed. Most of the work will be done by hand. Sediment covering manholes will be removed off site. Cut vegetation will be chipped and stumps will be painted with herbicide.
- Mr. Manzi asks about the priority habitat for bald eagle.
- Ms. Rimmer states NHESP were fine with the proposal in an initial meeting but have not issued a formal response. The majority of trees to be cut are young growth and not habitat for eagles.
- Mr. Napoli asks if clearing will go all the way through to the GLSD plant.
- Mr. Weare responds only to Riverview Street. Shawsheen River on other end.
- Ms. Feltovic asks what equipment will be used.
- Mr. Weare states wood chipper and a small truck the rest will be hand work. Downed logs will remain on the ground.
- Ms. Feltovic asks what time of year the work will be done.
- Mr. Weare states work will be done during the summer months this year and should take approximately 3 weeks.
- Mr. Napoli states the contractor should finalize what equipment will be needed at the preconstruction meeting.
- A motion to grant the request for a continuance to the February 25, 2015 meeting is made by Mr. Saal, seconded by Mr. Manzi.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *Letter from Rimmer Environmental Consulting, LLC dated January 30, 2015*
- *Local Bylaw only Form 3-Notice of Intent*
- *NOI Wetland Fee Transmittal Form*
- *Copy of State and Town Checks*
- *North Andover Conservation Commission waiver request form dated January 28, 2015*
- *Certified Abutters List dated January 16, 2015*

- *Notification to Abutters Form*
- *Certified Mail Receipt dated January 22, 2015*
- *Introduction North Main Street to Lawrence Municipal Boundary dated January of 2015*
- *Locus Map dated January of 2015*
- *Project Description dated August 26, 2014*
- *Photo 1: View northeast along top of easement dated August 26, 2014*
- *Photo 2: View northeast near angle point behind 110 Sutton Street dated August 26, 2014*
- *Fig.2 FEMA Map dated July 3, 2012*
- *Mitigation Measures Photo of Assessor Map dated January of 2012*
- *Operation and Maintenance Form*
- *Greater Lawrence Sewer District Interceptor prepared by Rimmer Environmental Consulting, LLC dated January 8, 2015*
- *Plan showing takings for sewer easements prepared by Harry R. Feldman, Inc. dated February 23, 1972*

242-1643, 674 Turnpike Street (Yamin) (Sullivan Engineering Group, LLC)

- Mr. Mabon reads the legal notice.
- The Applicant Mohammad Yamin of 674 Turnpike Street and John Sullivan of Sullivan Engineering Group, LLC are present.
- The Administrator presents the proposal to replace the failed septic system within 100' of BVW. She was unable to review the wetland line due to heavy snow cover.
- Mr. Sullivan states the owner purchased the property in 2012 with a failed septic system. The DPW does not allow connections to private force mains and it would be cost prohibitive to connect to gravity sewer several hundred feet away. The project has been filed with the BOH and there were only minor comments.
- Mr. McDonough asks if the system can be moved farther away.
- Mr. Sullivan states that it is as far away as it can be with other property setbacks.
- Mr. Napoli states if commercial development is proposed for the site, sewer may be worth it.
- Mr. Mabon asks if system would be only for current home. Answer is yes.
- Mr. Napoli states he will speak with Mr. Willett in DPW to discuss alternatives.
- Ms. Feltovic asks for more information about the MicroFast system.
- A motion to grant the request for a continuance to March 25, 2015 meeting is made by Mr. McDonough, seconded Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *Letter from Sullivan Engineering Group, LLC dated January 28, 2015*
- *WPA Form 3-Notice of Intent*
- *NOI Wetland Fee Transmittal Form*
- *Copy of State Check & Town Check*
- *Certified Abutters List dated January 15, 2015*
- *Notification to Abutters Form*
- *Certified Mail Receipt dated January 22, 2015*
- *Locus Map*

- *Septic Upgrade Plan prepared by Sullivan Engineering Group, LLC dated January 13, 2015*

242-1644, 287 Forest Street (Marnoto) (Williams & Sparages)

- Greg Hochmuth of Williams & Sparages is present.
- Ms. Feltovic reads the legal notice.
- Mr. Hochmuth reviews current site conditions and resource areas. The owners would like to install a pool and pave the unpaved portion of the driveway. The plan includes moving the shed outside the No-Build Zone as well as restoration of that area. Mr. Hochmuth states the alternative analysis and waiver request were submitted with the Notice of Intent. The proposal was also sent to NHESP. He states the delineation cannot be reviewed due to deep snow. Two drywells also need to be added to the plan. Filter sock erosion control is proposed.
- Mr. McDonough asks about the location of the septic system. It is on the adjacent lot.
- Mr. Manzi is concerned with chemicals in/on pavement and states it should be treated.
- Mr. Napoli states project may be approvable but need alternatives. He asks about the fill proposed at the back of the house and the construction access.
- Mr. Hochmuth reviews the site grading and states access will be over the existing drive.
- There is discussion of the history of the lot.
- Mr. Mabon asks about the propane tank location and the filter.
- Mr. Hochmuth states filter would be cartridge style and propane tank would be above ground.
- A motion to grant the request for a continuance to the March 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *Proof of Mailing to Natural Heritage*
- *Signatures and submittal requirements*
- *Copy of State & Town Check*
- *Project Narrative dated January 22, 2015*
- *North Andover Conservation Commission Waiver Request Form January 22, 2015*
- *Photos of the Site*
- *Delineation Field Data Form*
- *Indicators of Hydrology*
- *Locus Map*
- *Affidavit of Service dated January 22, 2015*
- *Notification to Abutters Form dated January 22, 2015*
- *Certified Abutters List dated March 3, 2014*
- *Certified Mail Receipt dated January 26, 2015*
- *Town of North Andover Board of Assessors Map dated January 1, 2007*
- *NOI Wetland Fee Transmittal Form*

- *Plan to accompany Notice of Intent prepared by Williams & Sparages dated January 21, 2015*

242- , 1 High Street (RCG North Andover Mills, LLC) (Aquatic Control Technology)

- The Applicant David Steinberg of RCG North Andover Mills, LLC and Matthew Salem of and Dominic Ramirez of Aquatic Control Technology are present.
- Mr. Mabon reads the legal notice.
- Mr. Steinberg introduces the project and points out that RCG intends to close out their open Order of Conditions as soon as weather allows them to do an as-built survey and monitor mitigation plantings.
- Mr. Ramirez reviews the project which is an aquatic management program to control water chestnut, phragmites and purple loosestrife in the 2.6 acre pond. The growth of the non-native invasives is causing eutrophication. EPA approved herbicides and algaecides will be used. Maintenance hand pulling of invasives will follow. An aeration system is also proposed.
- Mr. Mabon asks about time of year for treatment.
- Mr. Ramirez states treatment would likely be done by June.
- Mr. Mabon asks about water testing and reporting.
- Mr. Ramirez states there would be yearly reporting.
- Ms. Feltovic asks if there would be signage to let people know about treatment.
- Mr. Ramirez confirms signage would be installed. Water testing would be done before signage is removed.
- Mr. Manzi asks to see the baseline testing as well as the report.
- A DEP number is still needed.
- A motion to grant the request for a continuance to the February 25, 2015 meeting is made by
- Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *NOI Fee Transmittal Form*
- *Affidavit of Service dated January 29, 2015*
- *Copy of State & Town Check*
- *Certified Mail Receipt dated January 29, 2015*
- *Notification to Abutters Form*
- *Certified Abutters List dated January 13, 2015*
- *Locus Map*
- *Site Description*
- *Existing Conditions*
- *Fisheries*
- *Proposed Aquatic Management Program*
- *Monitoring*
- *Management of Nuisance*
- *Water Chestnut (Trapa Natans)*

- *Triclopyr (Renovate OTF-EPA #67690-42)*
- *Imazamox (Clearcast-EPA# 241-437-67690)*
- *Glyphosate (AquaPro-EPA #62719-324-67690, Rodeo-EPA# 62719-324 or equivalent)*
- *Improvement of Water Quality*
- *Impacts of the Proposed Management Plan Specific to the Wetland Protection Act*
- *Alternative Methods of Vegetation Control*
- *USGS Site Locus Map November 20, 2014*
- *Vegetation Assemblage Map dated January 14, 2015*
- *Proposed Treatment Program Map dated January 14, 2015*
- *Water Chestnut: An Exotic Invasive Aquatic Plant Photo*
- *Common Reed: An Invasive Wetland Plant Photo*
- *Purple Loosestrife: An Exotic Invasive Wetland Plant Photo*
- *Summary*
- *Registered Products in Massachusetts*
- *Triclopyr uses and application*
- *Mechanism*
- *Environmental Fate and Transport*
- *Pharmacokinetics*
- *Health Effects*
- *Imazamox Chemical Fact Sheet dated January 2012*

**242-1634, 50 Royal Crest Drive, (Pond Redesign) (AIMCO North Andover, LLC)
(Cornerstone Land Consultants, Inc.)(cont. from 1/28/15) (Request to cont. to 2/25/15)**

- Administrator states the applicant is requesting a continuance to the February 25, 2015 meeting.
- A motion to grant the request for a continuance to the February 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *E/Mail from Kenneth Lania of Cornerstone Land Consultants, Inc. requesting a continuance to February 25, 2015 meeting dated February 11, 2015*

**242-1635, 50 Royal Crest Drive (off Site Inlets) (AIMCO North Andover, LLC)
(Cornerstone Land Consultants, Inc.) (cont. from 1/28/15) (Request to cont. to 2/25/15)**

- Administrator states the applicant is requesting a continuance to the February 25, 2015 meeting.
- A motion to grant the request for a continuance to the February 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *E/Mail from Kenneth Lania of Cornerstone Land Consultants, Inc. requesting a continuance to the February 25, 2015 meeting dated February 11, 2015*

**242-1639, 351 Willow Street (Muffin Realty Trust) (The Morin-Cameron Group, Inc.)
(cont. from 1/28/15)**

- John Morin of Morin-Cameron Group, Inc. is present.
- The Administrator states Eggleston Environmental has completed review.
- Mr. Morin states reviews the revised plan and points out that the snow stockpile has been moved and a 6' stockade fence may be added to the back of the parking lot if needed. The Planning Board has asked that the parking lot be monitored to determine if fence is needed. Curbing has also been added per Lisa's comments. Erosion controls have also been upgraded.
- Mr. Mabon asks if waivers are needed. There are none.
- The Administrator states she can condition the fence in case it is required.
- A motion to grant the request for a continuance to the February 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

General Business

242-1589, COC Request, 1077 Osgood Street (Angus Realty Corp.) (Lynnfield Engineering, Inc.) (cont. from 1/28/15) (Request to cont. to 3/25/15)

- Administrator states the applicant is requesting a continuance to the March 25, 2015 meeting.
- A motion to grant the request for a continuance to the March 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *E/Mail from Alan Yameen of Angus Realty Corp. requesting a continuance to March 25, 2015 meeting dated February 11, 2015*

242-257, PCOC Request, 44 Laconia Circle (Lot 1A) (Copani, Tarlow & Cranney Attorneys at Law) (cont. from 12/17/14) (Request to cont. to 3/25/15)

- Administrator states the applicant is working on getting as-built plans done and requests a continuance to the March 25, 2015 meeting.
- A motion to grant the request for a continuance to the March 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *E/Mail from Anthony A. Copani of Copani, Tarlow, & Cranney requesting a continuance to March 25, 2015 meeting dated February 11, 2015*

242-333, PCOC Request, 44 Laconia Circle (Lot 1A) (Copani, Tarlow & Cranney Attorneys at Law) (cont. from 12/17/14) (Request to cont. to 3/25/15)

- Administrator states the applicant is working on getting as-built plans done and requests a continuance to the March 25, 2015 meeting.
- A motion to grant the request for a continuance to the March 25, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.

- Vote unanimous.

Document:

- *E/Mail from Anthony A. Copani of Copani, Tarlow & Cranney Attorneys at Law requesting a continuance to March 25, 2015 meeting dated February 11, 2015*

Violation/Enforcement

1116 Great Pond Road (Blaeser) (cont. from 1/28/15) (Request to cont. to 3/11/15)

- Administrator states the landscaper is working with a landscape designer on planting plan and needs additional time.
- The applicant is requesting a continuance to the March 11, 2015 meeting.
- A motion to grant the request for a continuance to the March 11, 2015 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *Talked on the Phone with the Administrator Andrew Crittenden of AC Landscaping Company requesting a continuance to the March 11, 2015 meeting dated February 9, 2015*

Ratification of Enforcement Order

105 Massachusetts Avenue (F. P. Reilly & Sons, Inc.)

- Administrator states the applicant has submitted a plan to remove the fill pile to an appropriate off-site location this spring. This will be done by June 10, 2015.
- A motion to ratify the Enforcement Order is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *Letter prepared by F. P. Reilly & Sons, Inc. Michael W. Reilly President dated January 23, 2015*

Bylaw Regulation Revisions (cont. from 1/28/15)

- A motion to grant the request for continuance to the February 25, 2015 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.

Decision

242-1629, 4W High Street

- Administrator reviews the draft Order of Conditions.
- The Commission accepts Order of Conditions as drafted and amended.
- A motion to accept the Order of Conditions as drafted and amended is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

A motion to adjourn the meeting at 9:40 PM is made by Mr. Manzi, seconded by Mr. McDonough

Vote unanimous.